



Department of Energy

Idaho Operations Office
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Idaho Falls, Idaho 83401-1563

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OFFICE OF ENVIRONMENTAL
& COMMUNITY AFFAIRS

August 20, 1998

Ms. Christina Colts
Environmental Protection Agency, Region X
EPCRA Contact
1200 6th Avenue
Mail Code: AT-083/HW-107
Seattle, WA 98101

SUBJECT: Regulatory Determination for Exemption of Scrap Metal Lead in the Cask Dismantlement Project (OPE-EP&SA-98-179)

Dear Ms. Colts:

The U.S. Department of Energy's Idaho National Engineering and Environmental Laboratory (INEEL), presently operated by Lockheed Martin Idaho Technologies Company, dismantles used shipping/storage casks by cutting the lead into smaller sections for shipping. The clean lead from this Cask Dismantlement Project is shipped off-site as scrap metal to:

Gould National Battery (GNB) Technologies
7471 South 5th Street
Frisco, Texas 75034

GNB is a lead smelter that melts the lead into ingots for reuse. These ingots are not returned to the INEEL.

Conflicting opinions were received just prior to the time the RY 1997 TRI 313 report was due as to whether or not to the INEEL should report this lead from the cask dismantlement project. Because there was insufficient time to obtain official clarification before the TRI 313 report was due, the INEEL did report the lead. A regulatory determination is requested to determine if the INEEL scrap metal lead requires reporting on the TRI 313 Form R.

The following information is provided as possible clarification:

The EPA's published "EPCRA Section 313 Questions and Answers", November, 1997 version, Question and Answer #435 states:

Question

"If I send metal scraps containing chromium off-site to be remelted and subsequently reused, do I report the amount of toxic chemical in the metal as recycled off-site?"

Answer

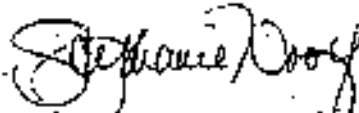
"Because the chromium in the metal scraps is not actually being recovered but merely melted and reused, the amount of the toxic chemical in the metal scraps would not be reportable anywhere on the Form R including in Section 8."

The EPA EPCRA Hotline agreed, that since the INEEL sends their lead scrap metal to a smelter for melting and subsequent reuse, that the instruction given in Answer # 435 also applies to the INEEL project and therefore does not require reporting their lead scrap metal on the Form R.

If you need additional information, please feel free to contact me at (208) 526-2187.

Thank you for your prompt consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stephanie Woolf".

Stephanie Woolf, EPCRA Coordinator
Environmental Programs &
Settlement Agreement Division